IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 1ST OCTOBER 2007 / 9TH ASWINA 1929

Bail Appl..No. 5911 of 2007()

CRMP.3121/2007 of D.C. & SESSIONS COURT,KOLLAM
CRMP.12210/2007 of J.M.F.C.,KARUNAGAPPALLY
CRIME NO.869/07 OF KARUNAGAPPALLY POLICE STATION

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PETITIONER : ACCUSED 3

SURENDRAN, S/O.VELU,
PUTHOOR VEEDU, ALUMKADAVU,
NAMBARUVIKALA MURI,
KARUNAGAPPALLY.

BY ADV. SRI.ALAN PAPALI
SRI.PRASUN.S

RESPONDENTS: COMPLAINANT

STATE OF KERALA
REP. BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.5911 of 2007

Dated this the 1st day of October, 2007

ORDER

Application for regular bail. The petitioner is the 3rd accused. Altogether there are 4 accused persons. The others have not been apprehended so far. The petitioner was arrested on 17.09.07. He continues in custody from that date. The petitioner faces allegations in a crime registered, inter alia, under Sections 308 and 324 I.P.C. The daughter of the 2nd accused and the son of the defacto complainant were allegedly in love. They had eloped. On account of such animosity, the accused persons had allegedly attacked the defacto complainant, who was proceeding to the temple at about 5.10 a.m on 15.09.07. The crime has been registered promptly. The petitioner is named in the F.I.R. Investigation is in progress.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigator is given reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate terms and conditions. I take note of the submission of the learned Public Prosecutor that the co-accused have not been arrested so far.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 08.10.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer from the date of his release between 10 a.m and 12 noon on all Mondays and Fridays for a period of 3 months and thereafter as and when directed by the Investigating Officer in writing to do so;

iv) The petitioner shall not, for a period of one month from the date of his release, enter the jurisdiction of Karunagappally Police Station without prior permission of the learned Magistrate except for the purpose of complying with condition (iii) above.

(R.BASANT, JUDGE)

rtr/-